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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

TSUTOMU SHIMOMURA,  
  
Plaintiff,

v.

UNUM LIFE INSURANCE COMPANY OF  
AMERICA,  
  
Defendant.

Case No. 3:22-cv-455-SB

JUDGMENT

Pursuant to the Court's Order (Dkt # 40), IT IS ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of plaintiff Tstutomu Shimomura ("plaintiff") and against Unum Life Insurance Company of America ("defendant") as follows:

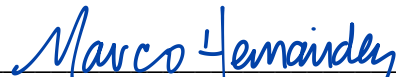
1. Plaintiff shall recover from defendant a Monthly Benefit, as defined in, and subject to, the terms of the Neofocal Systems, Inc. long-term disability plan ("the Plan), including, but not limited to, the "overpayments" and "Deductible Sources of Income" provisions of

the Plan, from December 7, 2016, through the date of the entry of this judgment.

Thereafter, defendant shall administer plaintiff's claim subject to the terms of the Plan.

2. Defendant shall pay plaintiff prejudgment interest pursuant to 28 U.S.C. § 1961(a), and shall pay plaintiff post-judgment interest pursuant to 28 U.S.C. § 1961(a) from the date of the entry of judgment until paid.
3. Plaintiff shall file any motion for attorneys' fees and costs pursuant to ERISA, 29 U.S.C § 1132(g), within thirty (30) days.

DATED: November 22, 2023

  
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Marco A. Hernández  
United States District Judge

Submitted by:

s/ Megan E. Glor  
Megan E. Glor, OSB No. 930178  
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Attorney for Plaintiff Tsutomu Shimomura